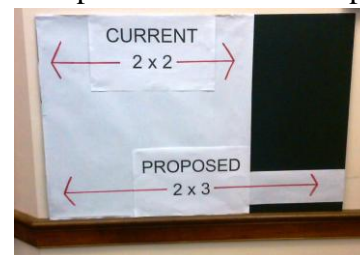


TO: Patricia Finnigan, Town Manager
FROM: Steve Wilson, Planner/CEO
RE: Proposed Ordinance Amendments for November
DATE: August 13, 2012

The Planning Board voted (3-1-0, two members were absent) at its March 7th meeting to recommend the attached zoning ordinance amendments to Article XI Signs.

The proposed Article XI amendments explained by section:

- a) **Section 4 Excepted Signs (7):** specify the single changeable sign as being a blackboard sign, add the name of the districts for clarity, and increase the allowed sign area from 2 sq. ft. to 3 sq. ft.
- b) **Section 4 Excepted Signs (8):** add reference to the new permitted uses added under Section 11, (3), (e) for sandwich board signs.
- c) **Section 7 Illuminated Signs:** makes changes allowing (with a permit) one, maximum two square foot “Open” Sign with no advertising, changing or flashing lights, to be in inside but visible through a window from the street.
- d) **Section 9 General Prohibitions in All Zones, (2):** note that sandwich board signs, easels and other sidewalk signs are not allowed on public and private ways and add reference to the new permitted uses added under Section 11, (3), (e) for sandwich board signs on private property..
- e) **Section 10 Off Premises Signs:** Clarify the meaning of Official Business Directional Signs (OBDS)
- f) **Section 11 (1), (2) & (3):** Add the zone designation letters, (I), RU-1), etc., to the various sections for additional clarification.
- g) **Section 11 (3):** insert a new sub (e) to allow a free standing “A-frame” blackboard sign on “private property” up to 17” x 28” in the B-1, B-TH, and B-TR districts and up to a 24” x 36” free standing “A-frame” blackboard sign on “private property” in the B-2 and B-3, as one of a business’s allowed signs with a permit. This would allow the advertising of specials, etc. while keeping the appearance uniform town wide while not increasing the number of allowed signs per business.
- h) **Section 11 (5):** add Tradesman Shops permitted as special exceptions to Home Occupations
- i) **Section 11 (5)(a):** For Home Occupations increase sign size in the Village and Village Extension district from 4 to 6 square feet, and in areas with a speed limit above 35 MPH allow a second free standing sign with a maximum size of 6 square feet. In the RU-1, RU-2 and CR zones.
- j) **Section 11 (5)(b):** For Tradesman’s Shops in the RU-2 district allow one free standing and one on building sign with a combined area of 16 square feet.
- k) **Section 11 (6):** add the actual date of Ordinance adoption for clarity



Article XI Signs

Section 1. Purpose

The Town, after due and careful consideration, finds and declares that it desires to preserve the natural and scenic beauty of the Town, its rural area and water ways, where a proliferation of advertising and other signs would despoil the beauty of the Town and create hazards to vehicular and pedestrian traffic.

It is the intent and purpose of this Article to preserve the beauty of the Town and the safety and well-being of the inhabitants while at the same time allowing reasonable advertising and informational signs by regulating the type, number, location, and size of such signs.

Section 2. Definitions

BANNER: Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National, state, or municipal flags, or the official flag of any institution or business, shall not be considered banners. *(Amended 11/10/09)*

FLAG: Any fabric or bunting containing distinctive colors, patterns, or symbols. *(Amended 11/10/09)*

PENNANT: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

SIGN: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public, including a sign located inside a window or door so that it is visible from the exterior of the building. Brand names and logos that are integral parts of a good to be sold are not considered signs under this Ordinance. *(Amended 11/10/09)*

SIGN AREA: The area on one side of the smallest simple geometric shape exemplified by a square, rectangle, triangle, circle, etc., encompassing all lettering, wording, design, or symbols, together with any background which is distinguishable from the building. For the purpose of calculating the area of a sign, an inconspicuous support exemplified by a slim post is not part of the sign.

SIGN, CANOPY: A sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.

SIGN, CONSOLIDATED: A single on-premise sign that serves two or more businesses or entities, all of which are located on the same lot of record, which sign is on a single device, fixture, placard, or structure.

SIGN, FREESTANDING: A sign supported by one or more upright poles, columns, braces or structure anchored in the ground and not attached to any building or other structure.

SIGN, ILLUMINATED: A sign lit in any manner by an artificial source of light.

SIGN, EXTERNALLY ILLUMINATED: A sign that is lit entirely from an external source, such as flood or spotlights, and is so arranged that no direct rays of light are projected from the external source into adjoining properties or public streets.

SIGN, INTERNALLY ILLUMINATED: A sign whose lighting is integral to the sign and/or shines through a plastic or other translucent covering.

SIGN, LADDER: A sign with two or more signs attached to the same support. The components of a ladder sign must comply, cumulatively, with the dimensional limitations imposed by this Section.

SIGN, OFF-PREMISE: A sign that is not located on the same lot of record that the business, facility, or point of interest is located.

SIGN, ON-BUILDING: A sign that is attached to the building wall and extends not more than six inches from the face of such wall.

SIGN, ON-PREMISE: A sign that is located on the same lot of record that the business, facility, or point of interest is located.

SIGN, PORTABLE: A sign that is not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels or trailers, balloons used as signs, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. For the purpose of this Ordinance, menu and sandwich board signs are not considered portable signs.

SIGN, PROJECTING: A sign that is attached to the building wall and extends more than six inches from the face of such wall.

SIGN, TEMPORARY: A sign of a temporary nature, erected less than 90 days within any 12-month period, exemplified by the following: political signs, charitable signs, fundraising signs, construction signs, carnival signs, garage sales, lawn sales, rummage sales, and all signs advertising sales of real estate and personal property, and for rent signs. Any exterior sign displayed by an ongoing business on the business' premises in which the written or printed message changes while the structure of the sign remains unchanged shall not be considered as a

temporary sign. For example, chalkboards and signs with removable lettering shall not be considered temporary signs. *(Amended 11/10/09)*

Section 3. Permit Required

No person, firm or corporation shall hereafter erect, hang, place, or alter a sign or sign structure of any kind without a permit having been issued by the Code Enforcement Officer, upon payment of a permit fee as determined annually by the Selectmen. Any permit obtained subsequent to the erecting, hanging, placing, or altering a sign or structure shall be subject to a permit fee five times the scheduled fee. Every application for a sign permit shall be accompanied by plans to scale, showing the area of the sign, the position of the building, structure or lot to which or upon which the sign is to be attached or erected, the method of illumination if any, and such other information as the Code Enforcement Officer shall require to show full compliance with this and all other laws and Ordinances of the Town. If it appears that the proposed sign is in compliance with all such requirements and laws, the permit shall be issued. *(Amended 11/10/09)*

Section 4. Excepted Signs

The following signs are excepted from the provisions of this Ordinance:

- (1) Any sign which was lawfully in existence prior to the date of the adoption of this Ordinance, provided, however, any change in lettering, size, construction, wording, location, or lighting of said sign shall constitute a new sign and such change shall be governed by the terms of this Ordinance;
- (2) House addresses, family name signs, and no trespassing signs;
- (3) Traffic control signs and safety signs including handicapped access signs
- (4) Signs painted on the window of a business which do not exceed 10 percent of the area of the glass.
- (5) Informational and directional signs concerning hospitals, and emergency medical care facilities.
- (6) Vending and dispensing machines; however, vending and dispensing machines located outside a building shall not be internally illuminated. *(New 6/20/06)*
- (7) A single blackboard sign on which the message may change, located near an entrance and attached to a building located in the Downtown Business (B-1), Highway Business (B-2), Business Transition (B-3), Neighborhood Service (B-4), Harbor Business (B-H), Transitional Harbor Business (B-TH), Transitional River Business (B-TR), or River Business (B-R), for the purpose of posting information such as, but not limited to, menus, specials, new products, sales, real estate listings, or sample designs, provided the sign does not exceed 32 square feet. *(Added 11/10/09)*

- (8) Temporary sandwich board signs used to direct vehicles or pedestrians to an event sponsored by a civic group, organization or arts group, however, except as permitted under Section 11,(3),(e), all other uses of sandwich board signs are prohibited. (*Added 11/10/09 revised ?/??/??*)
- (9) Signs to direct vehicles or pedestrians within private or public property, provided the signs are no larger than 3" by 18". (*Added 11/10/09*)
- (10) A single sign advertising fresh produce grown on the premises provided the sign does not exceed 4 square feet in area. (*Added 11/10/09*)
- (11) Directional and informational signs on municipal property with the approval of the Code Enforcement Officer. (*Added 11/10/09*)

Section 5. Community, Municipal, and Quasi-Municipal Facilities

Signs shall meet the requirements of Section 11. "Specifications."

Section 6. Obsolete Signs

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, product sold, or activity or campaign being conducted shall be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure, or lot upon which such sign may be found within 10 days after written notification from the Code Enforcement Officer. Failure to comply with such notice constitutes a violation of the terms of this Ordinance.

Section 7. Illuminated Signs

~~Illuminated-~~ If an exterior sign is to ~~must~~ be illuminated it must be illuminated externally only, and ~~they~~ shall be lighted from sources which are shielded from streets and adjoining property, with no exposed source of illumination. Businesses are allowed to display one (1) internally illuminated "Open" sign with a maximum size of two (2) square feet in a window visible from the street with a permit from the Code Officer. Any permitted "Open" sign shall not advertise or contain a logo of any product or company. The intensity of light from any illuminated sign visible from the exterior of the business shall remain constant in color, location, and brightness. No sign shall constitute a hazard to the flow of vehicular or pedestrian safety.

Section 8. Flags, Banners and Pennants

Flags, banners, and pennants may be used for the promotion of an event by a civic group, organization, or arts group, provided they are displayed for no longer than seven consecutive days. Flags, banners and pennants may be used for customer or employee appreciation days, provided they are displayed no more than once a year and no longer than seven consecutive days; or upon the grand opening of a new business provided they are displayed for more than seven consecutive days. A permit from the Code Enforcement Officer for such flags, banners, and pennants shall be required for each event. All other use of flags, banners, and pennants as signs

is prohibited; provided, however, that nothing in this Ordinance shall prohibit the flying of national, state, or municipal flags, or the official flag of any institution or business. (Amended 11/10/09)

Section 9. General Prohibitions in All Zones

- (1) Billboards, animated signs, flashing signs, roof signs, rotating signs, signs containing any visible moving parts and portable signs are prohibited in all zones. Engraved cornerstones and stone engraved building or structure names are exempt from this prohibition.
- (2) Sandwich board signs, easels, and other sidewalk signs not affixed to a structure or sign post are prohibited on any public or private way except as permitted under Section 11 Specifications, (3),(e). - (Amended 11/10/09Amended ??/??/??)
- (3) Ladder signs affixed by the use of hooks and chains are prohibited, except that such signs no larger than 3 inches by 18 inches may be used to indicate whether a business is open or closed or its vacancy status.

Section 10. Off Premises Signs

- (1) Off-premises signs, including ~~official-Official business-Business~~ directional-Directional signs Signs (OBDS), as defined by the State of Maine Department of Transportation, are prohibited in all zones, except that any off-premises sign approved by the Department of Transportation and in place at any time in the twelve months preceding June 27, 1985, may remain.
- (2) The location of traffic, public parking, public transportation, and roadside municipal directional signs must be approved by the Code Enforcement Officer.

Section 11. Specifications

The following designate the maximum allowable specifications of signs in all zones:

- (1) Industrial District (I): one on-premise sign identifying the business, with a maximum area of 30 square feet.
- (2) Rural 1 (RU-1), Rural 2 (RU-2), Rural Recreation (RR), Village Extension (VE), Traditional Village (V), and Coastal Residential (CR) Districts: ~~one-two~~ on-premise signs pertaining to a permitted use conducted on the premises, with a maximum area of ~~six-sixteen~~ square feet. Approved subdivisions may be allowed one sign designating the name of the subdivision in accordance with the specifications of paragraph (3)(a) of this Section. (Amended 11/10/09)
- (3) Downtown Business (B-1), Highway Business (B-2), Business Transition (B-3), Harbor Business (B-H), Transitional Harbor Business (B-TH) (added 11/11/08), Transitional River

Business (B-TR), River Business (B-R), and Neighborhood Service Districts (B-4): a business situated on its own, individual lot may have no more than three signs in any combination of the following approved types:

- (a) Freestanding signs: one sign with a maximum height of 9 feet measured from the ground to top of the highest support or top of sign, with a maximum sign area of 16 square feet.
- (b) On-building signs: one sign identifying the name of the business conducted on the premises and limited additional information which explains the nature of the business or profession. The sign shall be limited to one row of letters of a maximum height of 16" or one row of letters of a maximum height of 12" identifying the name of the business and one additional row of letters of a maximum height of 6" providing limited additional information which explains the nature of the business; or to a sign identifying the name and/or logo of the business which is no greater than one square foot of sign for each two linear feet of the building fronting on the thoroughfare or waterfront and shall not exceed a maximum of 50 square feet in area. *(Amended 11/10/09)*
- (c) Canopy signs and projecting signs: one sign with a maximum sign area of 12 square feet, except that such signs that overhang a public right-of-way shall have a maximum sign area of six square feet and a minimum vertical clearance of 10 feet. *(Amended 11/10/09)*
- (d) One additional sign shall be permitted if the building fronts upon more than one thoroughfare (including the harbor), said additional sign to front on said thoroughfare or waterfront. *(Added 11/10/09)*

(e) One (1) freestanding or A-frame blackboard sign up to 17" x 28" in size may be allowed with a permit from the Code Enforcement Officer, on private property in the Downtown Business (B-1), Transitional Harbor Business (B-TH), and Transitional River Business (B-TR). One (1) freestanding or A-frame blackboard sign up to 24" x 36" in size may be allowed with a permit from the Code Enforcement Officer, on private property in the Highway Business (B-2), Business Transition (B-3), Neighborhood Service (B-4). In determining whether to issue a permit the CEO shall consider pedestrian and vehicle safety.

~~(e)~~(f) In addition to signs otherwise permitted, two signs not to exceed two square feet each in sign area, designating an entrance or exit to a parking lot, shall be allowed.

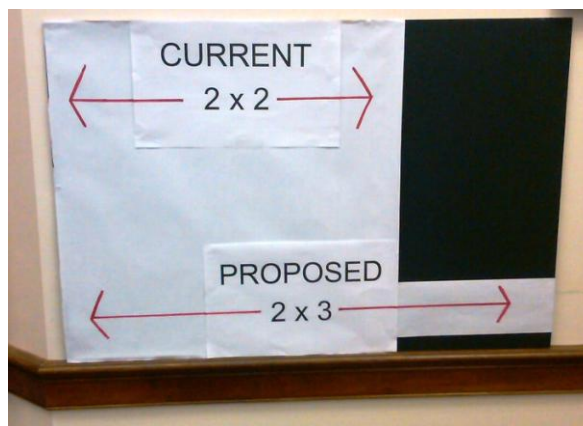
~~(f)~~(g) Approved subdivisions may be allowed a single permanent sign designating the name of the subdivision in accordance with the specifications of paragraph (3), (a) of this Section. *(New – 11/15/05)*

- (4) Businesses that share a building each may have no more than two on-building, canopy, or projecting signs according to the specifications set forth in paragraph (3) above. One additional sign shall be permitted if the building fronts upon more than one thoroughfare (including the harbor), said additional sign to front on said thoroughfare or waterfront.
- (a) In addition, the building may accommodate a single consolidated sign, no greater than the square footage equivalent to the linear footage of the building fronting on the thoroughfare or waterfront, with a maximum sign area of 100 square feet, except in the Business Transition District (B-3), where the maximum sign area shall be 16 square feet. *(Amended 11/10/09)*
- (b) Street level businesses that share a building may have an individual free standing sign, provided that the business has a separate street level entrance. *(Added 11/10/09)*
- (c) A consolidated sign may take the form of a ladder sign.

(5) Home Occupations and Tradesman Shops permitted as Special Exceptions

(a) Home Occupations

One on-building sign is allowed for a home occupation in the Traditional Village (V) and Village Extension (VE) zoning districts, with a maximum sign area of ~~four~~ six square feet. One free standing sign is allowed for a home occupation in the Traditional Village (V) and Village Extension (VE) zoning districts, where the speed limit is 35 MPH or greater, with a maximum sign area of six square feet. One on-building ~~or~~ and one free standing sign is allowed for a home occupation in the Rural 1 (RU-1), Rural 2 (RU-2) and Coastal Residential (CR) Zoning Districts, with a maximum combined sign area of ~~sixteen~~ sixteen square feet. Properties with more than one home occupation shall be required to place all information on the one sign. *(Amended 11/10/09)*



(b) Tradesman Shops permitted as Special Exceptions

One on-building and one free standing sign is allowed for a Tradesman Shop permitted as a Special Exception in the Rural 2 (RU-2) with a maximum combined sign area of sixteen square feet.

- (6) Nonconforming signs in existence prior to the date of adoption of this Ordinance on November 4, 1992, may be replaced by new signs that comply with the terms of this Section or that are not larger than 75% of the existing sign area. A nonconforming sign which is discontinued for a period of 24 consecutive months may not be resumed.
- (7) A sign allowed in the front setback area may not protrude outside the property line, except for canopy or projecting signs in conformance with paragraph 3(c) of this Section.
- (8) All roadside municipal directional signs for public facilities, except those covered under #9, shall be standard "symbol" signs approved by the Code Enforcement Officer, measuring no larger than 12" by 18" with an additional directional arrow sign where needed. No wording shall be used on the sign. These signs shall be placed on a single metal post or pressure treated wood post, or on sign posts erected for other purposes.

Roadside signage for public parking and transportation facilities shall be no larger than 12" by 18". Free standing signs within public parking facilities shall be no larger than 16 square feet.

Section 12. Temporary Signs

- (1) A temporary sign, as defined in this Ordinance, shall not exceed six square feet in sign area and shall not be illuminated.
- (2) A sign permit shall be required for any sign erected longer than 90 days within any 12-month period, except real estate signs offering property for sale or rent, which may be left in place without a permit until the sale or rental of the property, and construction signs, which shall be allowed without a permit for the duration of the project. Real estate signs shall not be placed in traffic islands, within town right of ways or at any location that could cause a traffic hazard. *(Amended 11/10/09)*
- (3) New construction requiring Site Plan Review, shall be allowed one construction sign of up to 16 square feet for the duration of the project.

Section 13. Town Directional Signage *(Section added 06/17/09)*

- (1) A permit for town directional signage shall be issued by the Code Enforcement Officer upon the recommendation of the Camden Planning Board and the recommendation of the Parking, Transportation and Traffic Committee and the approval of the Camden Select Board.
- (2) Town directional signage shall be of consistent design and shall use international symbols whenever possible.
- (3) The specific placement of town directional signage shall be approved by the Maine Department of Transportation when located along State roads; and by the Road Commissioner and Chief of Police when located along Town of Camden Roads.
- (4) Minor changes to town directional signage are permitted with the approval of the Code Enforcement Officer.